

SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD
July 15-19, 2002

Date Issued	Type of Case(1)	Proceeding or Appn. No.	Party or Parties	TTAB Panel(2)	Issue	TTAB Decision	Opposer's or Petitioner's Mark and Goods or Services	Applicant's or Respondent's Mark and Goods or Services	Mark and Goods Cited by Examining Attorney	Examining Attorney	Citable as Precedent of TTAB
7-15	EX	75/831,673	Equinix, Inc.	Cissel Chapman* Rogers	2(e)(1)	Refusal Affirmed		"INTERNET BUSINESS EXCHANGE" [providing multiple user access to a global communication network featuring the provision of unlimited and unrestricted interconnection among the Internet Service Providers (ISPs), content providers, carriers and Component Service Providers (CSPs)]		Kon	No
7-16	EX	75/787,260	E & E Hosiery Inc.	Hairston* Bucher Drost	2(d)	Refusal Affirmed		"PLANET SOX" [hosiery and socks]	"COLLECTION... PLANET SOCKS" (and design) [clothes, namely, socks, t-shirts, ties, and suspenders]	Fink	No
7-16	OPP	115,937	Leiner Health Services Corp. v. Time of Your Life, Inc.	Simms Hairston Walters*	2(d)	Opposition Sustained	"YOUR LIFE" [vitamins; appetite suppressant; providing information regarding vitamins and dietary food supplements by means of a global computer net work]; "YOUR LIFE" (and design) [vitamins and dietary food supplements]; "YOUR LIFE" (in stylized lettering on an oval background) [vitamins and dietary food supplements]	"TIME OF YOUR LIFE NUTRACEUTICALS" (and design) [hair shampoo, skin soap, deodorant soap; herbal supplements, herbal teas for medicinal use and medicated facial and body lotions and oils]			No

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(2) *=Opinion Writer; (D)=Dissenting Panel Member

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7-16	EX (R)	76/073,572	Trans Textiles Inc.	Simms* Hairston Bucher	2(d)	Request for Reconsideration Denied [Refusal Affirmed (as to all cited registrations)]		"VALENTINO CREATION" [sports shirts, t-shirts, sweat shirts, and pants]	8 cited registrations, all owned by the same entity: "VALENTINO" (in stylized, lower-case lettering) [brassieres]; "VALENTINO" [dresses, belts, gloves, scarves, swimwear, and ties] and [fashion consultation services, namely, creating clothing, jewelry and accessory designs, and selection of designs, and materials for couture customers] and [retail department store services] and [men's clothing, namely, suits, sport jackets, overcoats, shirts, trousers, Bermuda shorts, and bathing suits]; "VALENTINO" (in lower case lettering) [for various items of clothing]; "VALENTINO" (in lower case lettering, with a "V" design) [for various clothing items]; "VALENTINO" (in lower case lettering, with "Miss V" and "V" design) [for various clothing items]	Stephens	No

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7-16	EX	75/530,086	TCAST Communications, Inc.	Hanak Quinn Chapman*	2(d)	Refusal Affirmed (as to both cited registrations)		circle and arrow design [telecommunication services, namely, domestic and international long distance telephone services]	<i>2 cited registrations, owned by different entities:</i> circle and arrow design [cellular telephone roaming services] <i>and</i> circle and arrow design [telephone, mobile telephone, video telephone, telephone headsets and accessories for the aforementioned; radio pagers; computerized personal organizers; antennas; satellite transmitters and receivers for use in connection with mobile telephone and radio pagers; modems; computer keyboards; microprocessors for use in any of the aforementioned telecommunications equipment; computer programs for operating mobile telephones and pagers]	Vanston	No

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7-16	EX EX	75/666,992 75/666,993	Micro-Strategy Inc.	Hohein Walters* Rogers	2(e)(1)	Refusal Reversed (in both cases)		"THE INTELLIGENCE COMPANY" [computer programs for use in online analytical processing and data analysis] <i>and</i> "THE INTELLIGENCE COMPANY" [computer education training services; computer services, namely, providing computer consulting services, computer support services, namely, troubleshooting of computer hardware and software problems via telephone and e-mail, computer software design for others]		Wahlberg	No

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7-17	OPP	112,409	Time Warner Entertainment Co. L. P. v. Karen L. Jones	Bucher Bottorff* Rogers	2(d)	Opposition Sustained	“ROAD RUNNER” [<i>various types of printed matter and paper goods</i>]; design mark consisting of a cartoon figure of a roadrunner [motion picture, video, and television films; prerecorded audio-visual tapes, cassettes and/or discs featuring animation and/or music]; “ROAD RUNNER” (and design incorporating a cartoon figure of the head of a roadrunner) [candy]; “ROAD RUNNER” (and design incorporating the cartoon figure of a roadrunner) [t-shirts and sweatshirts]; “ROAD RUNNER” [plush dolls and Halloween costumes and masks]; “THE ROAD RUNNER & WILE E. COYOTE” [series of motion picture, video and television films, <i>etc.</i>]; “ROAD RUNNER AND WILE E. COYOTE” [video game cartridges; video and computer game programs, <i>etc.</i>]; “WB” (and design) [motion picture, video, and television films, <i>etc.</i>]	“ROADRUNNER MAPS” (and design incorporating a cartoon figure of a roadrunner) [road maps]			Yes

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7-18	EX	75/799,561	Medical Risk Management Associates, LLC	Hanak Hairston* Chapman	whether applicant's recitation of services is sufficiently definite; whether applicant is required to submit a new drawing; whether applicant must submit a description of its mark; Section 6 disclaimer requirement (of all the words in its composite mark)	Refusal Affirmed on all grounds asserted		"MEDICAL RISK MANAGEMENT ASSOCIATES, LLC" (and design) [consulting and training services in the fields of sentinel event policy, root cause analysis, action planning and training for avoiding and reducing incidences and likelihood of significant adverse event occurrences for hospitals, clinics, medical insurance companies, and health maintenance organizations]		J. McMorrow	No
7-18	EX	75/780,993	Media.Net Communications, Inc.	Simms Walters Chapman*	2(d)	Refusal Affirmed		"MEDIA.NET COMMUNICATIONS" [providing high bandwidth fiber optic network services to medium and large sized businesses in the entertainment industry, which enables them to create, produce, edit and distribute various entertainment and media products]	"MEDIANET" [communications services, namely, transmitting the data and messages of others between terminals, primarily via coaxial cable]	Engel	No

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7-19	EX	75/898,605	Konica Photo Imaging, Inc.	Quinn Walters* Chapman	2(e)(1)	Refusal Affirmed		"PHOTO STATIONERY" [unexposed photographic paper which becomes writable after exposure and development]		Vasquez	No
7-19	EX	75/804,432	The Chase Manhattan Corp.	Simms* Bottorff Holtzman	2(d)	Refusal Affirmed		"I-VAULT" [electronic storage and retrieval of documents, text, images, and data in the fields of banking and finance provided via a global computer network]	"E VAULT" (in stylized format) [remote computer data backup services, namely, providing storage facilities for computer data backup, archiving and retrieval over communication lines, and providing the computer software and hardware for such access]	Chicoski	No

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